

BILL ANALYSIS

S.B. 383
By: Carona
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Both the state and the federal government currently regulate the use of authorized refrigerants and refrigerant substitutes that are used by air conditioning and refrigeration contractors. The federal standards are set by the Environmental Protection Agency (EPA) and, in Texas, the Texas Department of Licensing and Regulation (TDLR) regulates air conditioning and refrigeration contractors. Interested parties assert that there is confusion between state and federal regulatory standards regarding refrigerants and that the state's regulation of the sale and use of these products is unnecessary because those products are effectively regulated by the EPA, which is better qualified to address the scientific questions that dominate this area of regulation. S.B. 383 seeks to allow TDLR to focus its efforts solely on ensuring that air conditioning and refrigeration contractors comply with licensing requirements and other statewide regulations by repealing certain provisions governing the sale and use of certain refrigerants.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 4 of this bill.

ANALYSIS

S.B. 383 repeals the following provisions of the Occupations Code relating to the sale and use of refrigerants:

- Section 1302.002(13) and (16)
- Section 1302.051
- Section 1302.452(b)
- Section 1302.453(b)
- Subchapter H, Chapter 1302

S.B. 383 requires the Texas Commission of Licensing and Regulation, not later than May 1, 2014, to adopt rules necessary to implement the bill's provisions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.